

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	Crim. No. 05-10086-RGS
)	
CLAUDIO VILLAR,)	
a/k/a Luis Rios-Colon,)	
a/k/a Junior,)	
)	
Defendant.)	
_____)	

(SECOND) JOINT INITIAL STATUS REPORT

The United States of America and the defendant, Claudio Villar, a/k/a Luis Rios-Colon, a/k/a Junior, by their respective undersigned counsel, submit this joint status report pursuant to Local Rule 116.5(A) and the Further Order on Excludable Time issued by United States Magistrate Judge Judith Gail Dein on May 24, 2005.

1. Local Rule 116.3 Timing Requirements

At this time, the parties do not seek relief from the timing requirements imposed by L.R. 116.3 and the Initial Scheduling Order entered in this matter on April 11, 2005.

2. Expert Discovery

The government anticipates that, unless there is a stipulation regarding the controlled substance involved in this case, it will offer expert testimony regarding the heroin at issue. The defendant reserves his right to seek such discovery.

3. Additional Discovery

Rule 16 and automatic discovery materials have been provided or made available to defendant's counsel. In the event that the government becomes aware of any additional Rule 16 and/or automatic discovery material, it will immediately provide such material to counsel for the defendant.

4. Motion Date

The parties jointly request that all motions be filed on or before July 5, 2005, and any responses be served by July 19, 2005. The parties also request that the time between the Initial Status Conference and the date of the Final Status Conference be excluded from all Speedy Trial Act calculations.

5. Speedy Trial Act

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and believe that the following periods are excludable:

4/11/05 - 5/9/05	Order on Excludable Time (USMJ Dein, April 11, 2005)
5/9/05 - 6/6/05	Further Order on Excludable Time (USMJ Dein, May 24, 2005)
6/6/05 - date of Final Status Conf.	Excluded as set forth above

As of the Final Status Conference, 11 days will have been counted (3/30/05 - 4/10/05) and 59 days will remain under the Speedy Trial Act.

6. Anticipated Trial

It is too early to tell whether a trial will be needed in this matter. The United States estimates that a trial would last approximately 4 days.

7. Final Status Conference

The parties request that a Final Status Conference be scheduled for July 19, 2005, or as soon thereafter as is convenient for the Court.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorneys,

By: /s/ Lisa M. Asiaf
LISA M. ASIAF
Assistant U.S. Attorney
One Courthouse Way
Boston, MA 02210
Tel: (617) 748-3268

COUNSEL FOR CLAUDIO VILLAR,

/s/ William Keefe
William Keefe, Esq.
390 Centre Street
Jamaica Plain, MA 02130
Tel: (617) 983-9200

June 2, 2005